

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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PHILLIP KASSAI,

Plaintiff,

- against -

DRINKS AMERICA HOLDINGS, LTD.,

Defendant.  
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07 Civ. 5590 (RMB)

**ORDER OF DISCONTINUANCE**

Based on the stipulation of settlement executed by both parties and filed on April 28, 2008, the Defendant's Motion for Summary Judgment is hereby dismissed as moot, the trial is hereby vacated, and the above captioned action is hereby discontinued.

The Clerk is respectfully requested to terminate the motion [Dkt. No. 27] and close this case.

Dated: New York, New York  
April 28, 2008

*RMB*

Richard M. Berman, U.S.D.J.